

502. DISPUTE RESOLUTION.

(1) In the event that two or more party states have a dispute, the parties shall attempt resolution following the steps set out in this rule.

(2) The parties shall first attempt informal resolution. The Compact Administrators in the states involved shall contact each other. Each Compact Administrator shall submit a written statement describing the situation to the other Compact Administrators involved in the dispute. Each Compact Administrator may submit a response. The submission of the statement and the response shall be in a mutually agreed upon time frame. If an interpretation of the Compact is needed, the parties shall request assistance from the Executive Committee. If all issues are resolved, no further action is required and all party state Compact Administrators shall be informed of the result. If any issue remains unresolved, the parties shall notify the Commission and request mediation.

(3)(a) A party state that has a dispute with one or more other party states, and informal resolution was unsuccessful, shall attempt mediation. Mediation shall be conducted by a mediator appointed by the Executive Committee from a list of mediators approved by the National Association of Certified Mediators or as agreed to by all parties. If all issues are resolved through mediation, no further action is required. If mediation is unsuccessful, the parties shall submit to binding dispute resolution.

(b) The costs of mediation shall be shared by all party states involved.

(c) All party state Compact Administrators shall be notified of all issues and disputes that rise to the mediation stage in order to comment on those matters and disputes that may impact all party states.

(4)(a) In the event of a dispute between party states that was not resolved through informal resolution or mediation, the party states shall submit to binding dispute resolution. The parties may choose binding dispute resolution either by submitting the dispute to the Commission for final action or by arbitration.

(b) All party states involved shall agree in order to proceed with arbitration. In the absence of agreement, the matter shall be referred to the Commission for final determination.

(c) Each party state involved shall be responsible for its own respective expenses, including attorney fees.

(d) The party state Compact Administrators involved in the dispute shall recuse themselves from consideration or voting by the full Commission.